

MEMORANDUM

DATE: May 30, 2001

TO: For Distribution

FROM: Bob Battalio, PE, Principal

RE: **Initial Comments on Draft Policy on Coastal Erosion Planning and Response and Background Material (Resources Agency of California)**

Draft Policy on Coastal Erosion Planning and Response and Background Material is a welcomed attempt to update and clarify policy in California, and facilitate more consistent and effective shoreline management. The concepts of Coastal Hazards Avoidance, Relocation, and Beach Nourishment as alternatives to shore protection structures are well emphasized, consistent with sustainable shoreline management approaches.

The Draft Policy and Background Material are a first step toward the public realization that erosion is not 'bad', but rather a natural process: It is actually development within erosion hazard zones and the acceleration of erosion caused by man's activities that are the primary sources of our coastal management problems. Therefore, our Policy on Coastal Erosion Planning and Response should emphasize protection of natural physical processes rather than private property.

The following comments are offered to improve the document:

1. **Local Coastal Plans and Shoreline Management Plans – Plans consistent with the updated policy are needed, and funding is required.** : A concerted effort should be made to develop and update Local Coastal Plans to include an assessment of coastal processes, and particularly to identify elements consistent with the broader State Policy. Specifically, development setbacks based on future erosion and other coastal hazards should be identified. For those coastal hazard areas already developed, the shoreline management approach should be identified. A companion Shoreline Management Plan should be developed, to include estimated action timelines and costs. Such an effort will require funding. Regional studies will be most effective from a technical perspective, considering the natural boundaries associated with littoral processes. Emergency permits should ultimately be limited to actions consistent with these plans.
2. **Managed Retreat and Buy-Out – Purchasing and removal of coastal development should be part of the Policy, and considered preferable to construction of shore protection devices, based on a consideration of the public perspective in addition to the property owner's perspective.** : The State Policy should emphasize the Managed Retreat approach to shoreline management, including Buy-out of facilities in coastal hazard zones. Under "Relocation", the

draft Policy states that the relocation response "... may not be technically feasible or the most cost-effective alternative from the property owner's viewpoint." Under these conditions, the State Policy should include a new tier of action called "Buy-Out" or similar. Under this action, the State and local government would decide whether it is technically feasible and cost-effective to pay a fair price for the subject property, and implement removal of the development. Managed retreat should be considered the preferable alternative for public facilities on eroding shores. The Shoreline Management Plans should project the need for these actions into the future (see item 1)

3. **Hard Protection – Hard Protection should be discouraged on eroding shorelines:** It is important to note that hard protection structures on an eroding shore tend to result in a loss or substantial loss of beach. Such a condition can have significant associated negative effects to access, recreation, habitat, and to the shore protection structures themselves and, over the longer term, adversely impact community economies. Alternatively, if the shoreline is allowed to erode, a useable beach will typically continue to exist as the shore migrates landward. Hard protection devices should therefore be severely restricted on shorelines where erosion is expected to progress. If a hard shore protection structure is permitted on an eroding shore, adequate mitigation should be included in the initial project, along with the cost of removal of the shore protection device in the future.
4. **Professional Evaluation – Coastal (Civil) Engineers should be engaged along with other professions.** Section III.B.4. should be changed from "A report by a licensed geologist..." to "A report by a licensed geologist and or civil engineer with demonstrated training in coastal processes..". Coastal Engineering is a specialty discipline within the field of Civil Engineering, with training in littoral processes and geomorphology. There are multiple universities in the United States and abroad which provide this training.
5. **Institutional Impediments – A critique of existing shoreline management practice is needed to better frame an updated Policy.** Several institutional impediments to effective shoreline management exist:
 - a. **Misunderstanding:** Local municipalities often make decisions without adequate information, guidance and oversight. This largely relates to the lack of planning and, in turn, results form a lack of funding
 - b. **Private Parcel:** Much of the present shoreline management is accomplished by private property owner, resulting in very narrow design objectives and limited scopes of evaluation. These conditions can result in poor decisions and unmitigated impacts.
 - c. **Crisis Management:** Much of the existing hard shore protection was constructed under emergency permits or under disaster relief / flood damage funding. The crisis management approach does not allow adequate planning nor environmental review. Our regulatory and funding system inadvertently provides incentives for this approach.
 - d. **Lack of Public Review:** Through emergency permits and reconstruction under maintenance authority, structures are constructed, expanded and institutionalized with little or no public and environmental review.
 - e. **Government:** The multi-agency government system does not always function consistently with the Policy. For example, the Army Corps of Engineers, one of the potential funding agencies, can not presently find a "Federal Interest" (authorization to participate in the project) in relocation of infrastructure regardless of the relative

economic and environmental benefits. Also, while local municipalities are required to develop local coastal plans presumably consistent with Policy, many cannot fund a study of shoreline processes that is required to develop an effective LCP and shoreline management plan.

END